

MESSAGE NO: 9314003 MESSAGE DATE: 11/10/2009

MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 9306211
MESSAGE #
(s):

CASE #(s): C-307-808

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/01/1995 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION FOR FERROSILICON FROM VENEZUELA (CBP CASE C-307-201/COMMERCE CASE C-307-808); CT NO 93-06-00322 DISSOLVED. LIFTING OF SUSPENSION: DATE OF MESSAGE

MESSAGE NO: 9314003

DATE: 11 10 2009

CATEGORY: CVD

TYPE: LIQ

REFERENCE: 9306211

REFERENCE DATE: 11 02 1999

CASES: C - 307 - 808

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PERIOD COVERED: 01 01 1995 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION FOR FERROSILICON FROM VENEZUELA (CBP CASE C-307-201/COMMERCE CASE C-307-808); CT NO 93-06-00322 DISSOLVED. LIFTING OF SUSPENSION: DATE OF MESSAGE

1. ON 07/27/2009, THE U.S. COURT OF INTERNATIONAL TRADE (CIT) ISSUED AN ORDER OF DISMISSAL IN AIMCOR, ALABAMA SILICON INC. AND AMERICAN ALLOYS INC. V. UNITED STATES AND FERROATLANTICA DE VENEZUELA, CONSOLIDATED COURT NO. 93-06-00322.

AS A RESULT, THE INJUNCTION OF 05/29/1996, ENJOINING THE LIQUIDATION OF CERTAIN ENTRIES OF FERROSILICON FROM VENEZUELA DISSOLVED. (NOTE: NO INJUNCTION MESSAGE COULD BE LOCATED BUT

MESSAGE 9306211, DATED 11/02/1999, REFERENCES THE 05/29/1996 INJUNCTION.)

2. CBP IS DIRECTED TO TERMINATE THE SUSPENSION OF LIQUIDATION FOR ALL SHIPMENTS OF FERROSILICON FROM VENEZUELA ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 01/01/1995, AND TO RELEASE ANY BOND OR OTHER SECURITY, AND REFUND ANY CASH DEPOSIT.

3. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF FERROSILICON FROM VENEZUELA.

4. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THIS INSTRUCTION.

5. THE SUSPENSION OF LIQUIDATION OF FERROSILICON FROM VENEZUELA ENTERED ON OR AFTER 01/01/1995 IS LIFTED.

6. THE ASSESSMENT OF COUNTERVAILING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED COUNTERVAILING DUTIES.

THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED COUNTERVAILING DUTIES BEFORE THE DATE OF PUBLICATION OF THE COUNTERVAILING DUTY ORDER.

INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED COUNTERVAILING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE

CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577, RESPECTIVELY (GENERATED BY O1:SI).

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

FLORENCE V. CONSTANT

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party